

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hiroshige INOUE) : Examiner: Bryan Ready
Application No.: 10/587,146) : Group Art Unit: 2852
Filed: May 31, 2007) : Confirmation No.: 4972
For: TONER SUPPLY CONTAINER AND) : September 23, 2008
IMAGE FORMING APPARATUS, FOR)
DETECTING THE AMOUNT OF)
REMAINING TONER) :

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to a Communication issued September 4, 2008, in counterpart European Application No. 08158029.2-2209/1973009 ("European Communication"), of the above-identified application, and listed on the enclosed Form PTO-1449. A copy of the European Communication is enclosed herewith.

REMARKS

JP 11-38755 A and U.S. Publication Document 2001/026692 A1 are cited in the European Communication and were cited in an Information Disclosure Statement, filed July 24, 2006, in the present application and are therefor not cited on the enclosed citation form.

The European Office Action is listed on the enclosed citation form.

STATEMENT AND FEE

The present Information Disclosure Statement is being filed prior to the mailing of a first Official Action on the merits and within three months of the issuance of the European Communication. Accordingly, Applicant believes that no fee is necessitated by the filing of this paper. Nevertheless, the Commissioner is authorized to charge any fee necessitated by the filing of this paper to Deposit Account No. 06-1205.

CONCLUSION

It is respectfully requested that the cited information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Favorable consideration hereof is earnestly solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/William M. Wannisky/
William M. Wannisky
Attorney for Applicant
Registration No. 28,373

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200
WMW-mds
FCHS_WS 2504758_1